

Key No. : 164-05500-0307

PROJECT: Cumberland Ave. Reconstruction Phase I
PARCEL: 1
COUNTY: Tippecanoe
OWNER: Fairfield Builder Supply Corp.

TEMPORARY RIGHT OF WAY

THIS INDENTURE WITNESSETH THAT Fairfield Builder Supply Corp.

of Tippecanoe County in the State of Indiana conveys and warrants to CITY OF WEST LAFAYETTE of the State of Indiana, for use as temporary right of way for the purpose of yard grading and drive construction, the following Real Estate in Tippecanoe County in the State of Indiana.

PARCEL: 1 TEMP
PROJECT: Cumberland Ave. Reconstruction Phase 1

DESCRIPTION: EXHIBIT "A"

The temporary right of way automatically reverts back to the property owner at the completion of the project.

IN WITNESS WHEREOF, the said Grantor(s) has hereunto set its hand and seal on 8TH DAY
OF ~~DECEMBER~~ JANUARY 2010.

By: J. Bradley Coffin, Vice President
Name: J. Bradley Coffin

STATE OF INDIANA)
COUNTY OF TIPPECANOE)

SS:

Before me, the undersigned, a Notary Public in and for said County and State, on January 8th, 2010, personally appeared J. Bradley Coffin, Grantor in the above conveyance, and acknowledged the execution of such Temporary Right of Way to be their voluntary act and deed, for the uses and purposes herein mentioned.



Ginger Briggs
Ginger Briggs, notary public
Resident of Benton County

My commission expires:
October 14, 2015

**ACCEPTED: CITY OF WEST LAFAYETTE
BOARD OF PUBLIC WORKS AND SAFETY**

John R. Dennis, Mayor

Sana G. Booker, Member

Bradley W. Marley, Member

Jonathan C. Speaker, Member

Elizabeth M. Stull, Member

STATE OF INDIANA }
 } SS:
COUNTY OF TIPPECANOE }

Before me, the undersigned, a Notary Public in and for said County and State, this ____ day of _____, 2010 personally appeared Mayor John R. Dennis, Bradley W. Marley, Sana G. Booker, Jonathan C. Speaker and Elizabeth M. Stull of the West Lafayette Board of Public Works and Safety, and acknowledge the execution of the above release, for the uses and purposes herein mentioned.

Witness my hand and Notarial Seal this ____ day of _____, 2010.

Residence of _____ County

My Commission Expires

Signature _____

Printed _____, Notary Public

This instrument prepared by:
Eric H. Burns, of the firm of
WITHERED BURNS & PERSIN, LLP
8 N. 3rd Street, Suite 401
P.O. Box 499
Lafayette, Indiana 47901
Telephone: (765) 742-1988

Exhibit "A"

Designation:
Parcel: 1 Temporary R/W
Form: WD-1

Sheet 1 of 1
Code: N/A

A Part of the Property described as Instrument Number 9419805 being Lots 3 and 4 of the Replat of Part of Lot 1, McClure Park Subdivision Part 2, recorded in the Office of the Tippecanoe County Recorder located in the Northeast Quarter of Section 12, Township 23 North, Range 5 West, City of West Lafayette, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at the Northwest Corner of said Northeast Quarter; thence North 89 degrees 17 minutes 55 seconds East along the North Line of said Northeast Quarter a distance of 378.73 feet; thence South 00 degrees 42 minutes 05 seconds East perpendicular to said North Line a distance of 50.00 feet to the South Right-Of-Way Line of Cumberland Avenue, the North Line of said Lot 4 and the Point of Beginning; thence North 89 degrees 17 minutes 55 seconds East along the North Line of Lot 4 and Lot 3 a distance of 561.11 feet to a point on a curve to the right having a radius of 35.00 feet, the radius point of which bears South 00 degrees 42 minutes 05 seconds East; thence easterly along said curve and North Lot Line an arc distance of 1.97 feet to a point which bears North 02 degrees 31 minutes 40 seconds East from said radius point; thence South 47 degrees 50 minutes 25 seconds East along the Northeasterly Line of Lot 3 a distance of 54.61 feet; thence South 31 degrees 22 minutes 35 seconds East a distance of 59.13 feet; thence South 58 degrees 37 minutes 25 seconds West a distance of 20.00 feet; thence North 33 degrees 12 minutes 39 seconds West a distance of 98.73 feet; thence North 76 degrees 39 minutes 54 seconds West a distance of 41.22 feet; thence South 89 degrees 17 minutes 55 seconds West parallel with said North Lot Line a distance of 80.00 feet; thence South 00 degrees 42 minutes 05 seconds East a distance of 35.00 feet; thence South 89 degrees 17 minutes 55 seconds West parallel with said North Lot Line a distance of 70.00 feet; thence North 00 degrees 42 minutes 05 seconds West a distance of 35.00 feet; thence South 89 degrees 17 minutes 55 seconds West parallel with said North Lot Line a distance of 100.00 feet; thence South 00 degrees 42 minutes 05 seconds East a distance of 25.00 feet; thence South 89 degrees 17 minutes 55 seconds West parallel with said North Lot Line a distance of 40.00 feet; thence North 00 degrees 42 minutes 05 seconds West a distance of 25.00 feet; thence South 89 degrees 17 minutes 55 seconds West parallel with said North Lot Line a distance of 273.25 feet to the North Line of Lot 4 and a point on a non-tangent curve to the right having a radius of 164.30 feet, the radius point of which bears South 14 degrees 52 minutes 21 seconds East; thence easterly along said curve and North Line an arc distance of 40.64 feet to a point which bears North 00 degrees 42 minutes 05 seconds West from said radius point and the Point of Beginning, containing 0.197 acres of land, more or less.

NOTE: The land description hereon is based on the Cumberland Avenue Phase 1 Route Survey for the City of West Lafayette dated January 27, 2009 and recorded in Instrument Number 200909016190 in the Office of the Tippecanoe County Recorder. (See attached Survey)